

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
inContact, Inc.)	
<i>Applicant and Transferor,</i>)	File No. ITC-T/C-20160531-00162
)	
and)	WC Docket No. 16-177
)	
NICE, Ltd.)	
<i>Applicant and Transferee</i>)	
)	
)	
)	

**PETITION TO ADOPT CONDITIONS TO
AUTHORIZATIONS AND LICENSES**

The Department of Justice (“DOJ”) , including the Federal Bureau of Investigation, with the concurrence of the Department of Homeland Security and the U.S. Department of Defense, (collectively, the “Agencies”) submits this Petition to Adopt Conditions to Authorizations and Licenses (“Petition”) pursuant to Section 1.41 of the Federal Communications Commission (“Commission”) rules.¹ Through this Petition, the Agencies advise the Commission that they have no objection to the Commission approving the authority sought in the above-referenced proceedings provided that the Commission conditions its approval on the assurance of inContact, Inc. (“inContact”) and NICE, Ltd. (“NICE”) abiding by the commitments and undertakings set forth in the attached September 20, 2016, Letter of Agreement (“Agreement”) between inContact, NICE, and the DOJ.

¹ 47 C.F.R. § 1.41.

The Commission has long recognized that law enforcement, national security, and public safety concerns are part of its public interest analysis, and has accorded deference to the views of other U.S. government agencies with expertise in those areas. *See In the Matter of Comsat Corporation d/b/a Comsat Mobile Communications, etc.*, 16 FCC Rcd. 21,661, 21707 ¶ 94 (2001).

After discussions and communications with the Applicants' representatives in connection with the above-referenced proceeding, the Agencies have concluded that the additional commitments set forth in the Agreement will help ensure that those agencies with responsibility for enforcing the law, protecting the national security, and preserving public safety can proceed appropriately to satisfy those responsibilities. Accordingly, the Agencies advise the Commission that they have no objection to the Commission granting the application in the above-referenced proceeding, provided that the Commission conditions its consent on inContact's and NICE's compliance with the Agreement.

Respectfully submitted,

/s/ Hunter P. Deeley
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September 21, 2016